IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

Bail Appl..No. 6847 of 2007()

(CRIME NO.04/2007 OF VELLAYIL POLICE STATION)

PETITIONER/ACCUSED:

RAFEEQUE, S/O.ASSAINARKUTTY,
AGED 34 YEARS, THOPPIL BEACH,
HOUSE NO.1/2338, NEAR ALATH COMPANY,
VELLAYIL, KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS: COMPLAINANT & STATE:

1. **SUB INSPECTOR OF POLICE,**
   VELLAYIL POLICE STATION,
   KOZHIKODE.

2. **STATE OF KERALA,**
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

R.BASANT, J

B.A.No.6847 of 2007

Dated this the 13th day of November, 2007

ORDER

Application for regular bail. The petitioner is the sole accused. He faces allegations under Section 308 I.P.C. The alleged incident took place on 14.10.07. The defacto complainant was attacked with a soda bottle. He was attempted to be hit on the vertex of the head. The defacto complainant swerved his head and therefore the injury was suffered on the back of the head. The petitioner was arrested on 19.10.07. He continues in custody even now.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner, who has remained in custody from 19.10.07 can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all

Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-